

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

TERRANCE T. POWELL,

Petitioner,

v.

JEFFREY UTTECHT,

Respondent.

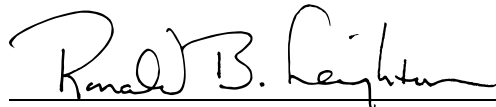
No. C13-5693 RBL/KLS

**ORDER ADOPTING REPORT AND  
RECOMMENDATION**

The Court having reviewed the Report and Recommendation of the Hon. Karen L. Strombom, United States Magistrate Judge, objections to the Report and Recommendation, if any, and the remaining record, does hereby find and Order:

- (1) The Court adopts the Report and Recommendation.
- (2) Petitioner's 28 U.S.C. § 2254 petition (ECF No. 1-1) is **TRANSFERRED TO THE NINTH CIRCUIT AS A SECOND OR SUCCESSIVE PETITION.**
- (3) Petitioner's motion for leave to proceed *in forma pauperis* (ECF No. 1) is **DENIED.**
- (4) The Clerk is directed to send copies of this Order to Petitioner and to the Hon. Karen L. Strombom **AND TO ADMINISTRATIVELY CLOSE THIS FILE.**

**DATED** this 13<sup>th</sup> day of September, 2013.



RONALD B. LEIGHTON  
UNITED STATES DISTRICT JUDGE